

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - S/S Pulaski
Highway, 285' W of the c/l of * DEPUTY ZONING COMMISSIONER
Middle River Road
(9523 Pulaski Highway) * OF BALTIMORE COUNTY
15th Election District
6th Councilmanic District * Case No. 96-259-XA

George D. Leas, et ux *
Petitioners
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 9523 Pulaski Highway, located in the vicinity of Middle River Road in Middle River. The Petitions were filed by the owners of the property, George D. and Arleen M. Leas, and the Contract Purchaser/Lessee, John S. Gonzalez, Jr., and his wife, Pamela M. Gonzalez, through their attorney, Michael Marino, Esquire. The Petitioners request a special exception to permit a car wash use on the subject property, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Sections 238.2 and 303.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet, and a front yard setback of 52 feet in lieu of the required 82 feet to accommodate the proposed building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petitions were John Gonzalez, Jr., Contract Purchaser, Alan Scoll, Registered Landscape Architect with D. S. Thaler and Associates, Inc., who prepared the site plan for this project, and Michael Marino, Esquire, attorney for the Petitioners. There were no Protestants present.

ORDER RECEIVED FOR FILING

Date

By

WITNESSES

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.47 acres, more or less, split zoned B.R., M.L.-C.S.1 and M.L.-I.M., and is presently unimproved. The Petitioners are desirous of developing the site with a self-service car wash in accordance with Petitioner's Exhibit 1. Due to the unusual shape of the lot, strict compliance with the zoning regulations would be burdensome and result in an unreasonable hardship for the Petitioners. A brief discussion ensued regarding the height of the identification sign for the proposed use. According to the site plan submitted into evidence as Petitioner's Exhibit 1, the Petitioners propose an identification sign 18 feet in height. On behalf of his clients, Mr. Marino agreed that the subject sign will be no greater than 14 feet in height. Further testimony demonstrated that the use proposed meets the special exception requirements set forth in Section 502.1 of the B.C.Z.R. and is in strict harmony with the spirit and intent of the zoning regulations, pursuant to Section 307.1 thereof.

It is clear that the B.C.Z.R. permits the use proposed in a zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a spe-

cial exception use, irrespective of its location within the zone.
Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

ORDER RECEIVED FOR FILING

Date

By

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of February, 1996 that the Petition for Special Exception to permit a car wash use on the subject property, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 238.2 and 303.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet, and a front yard setback of 52 feet in lieu of the required 82 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

ORDER RECEIVED FOR FILING

Date

By

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The height of the proposed identification sign shall be no greater than 14 feet. Accordingly, a revised site plan depicting the modified sign height shall be submitted prior to the issuance of any building permits.

3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 2/24/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 26, 1996

Michael E. Marino, Esquire
Levy & Marino
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
S/S Pulaski Highway, 285' W of the c/l of Middle River Road
(9523 Pulaski Highway)
15th Election District - 6th Councilmanic District
George D. Leas, et ux - Petitioners
Case No. 96-259-XA

Dear Mr. Marino:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. George D. Leas
2149 Bridgegate Court, Westlake Village, Ca. 91361

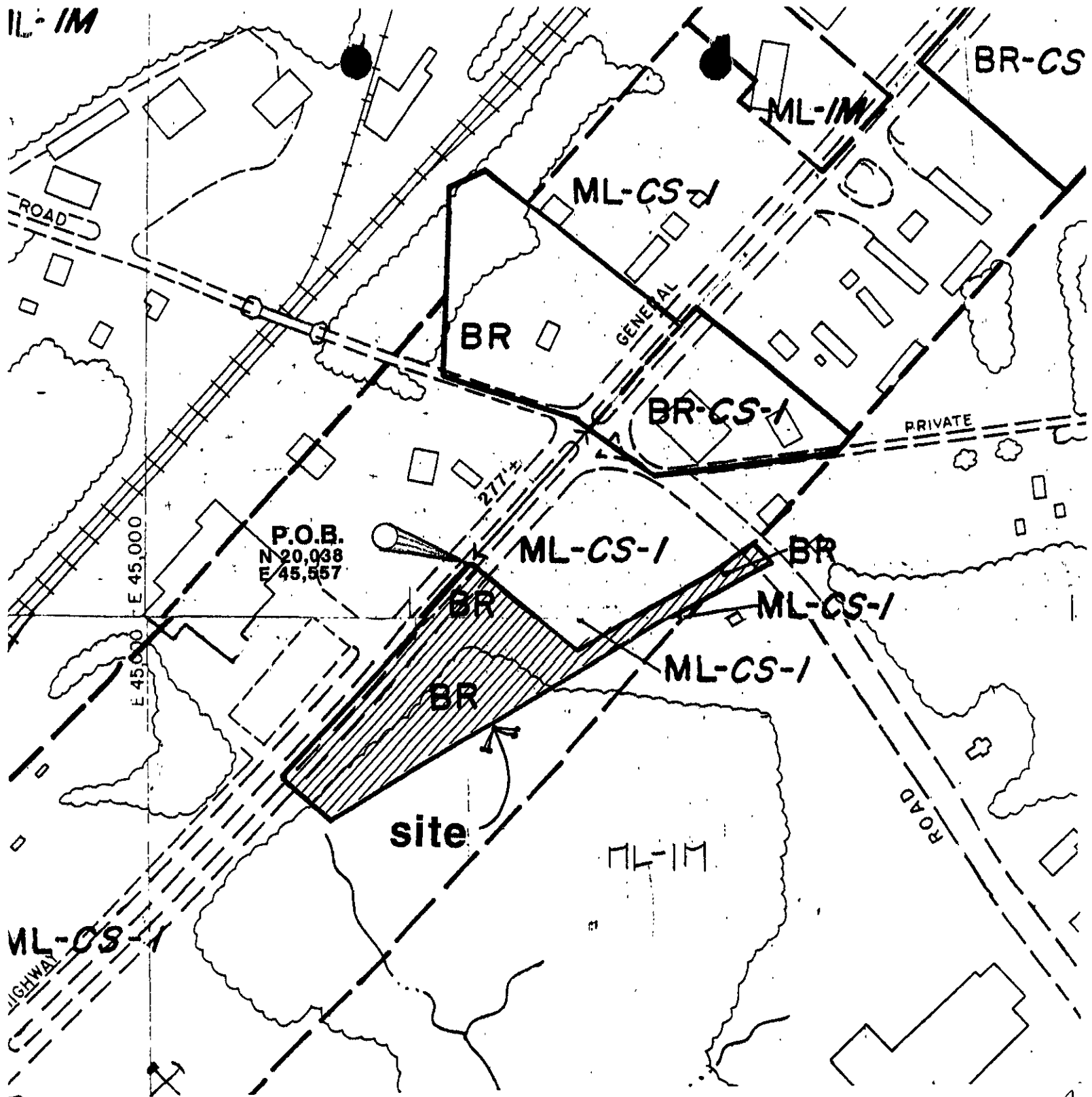
Mr. & Mrs. John S. Gonzalez, Jr.
205 Rolling Knoll Drive, Bel Air, Md. 21014

People's Counsel

File



IL-IM



200 Scale
1992 Baltimore County Zoning Map (NE-5 & 6 H)
To Accompany Zoning Petition

Pulaski Carwash

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647

96-259-XA

#259





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 9523 Pulaski Highway, Balto. MD 21220

96-259-XA

which is presently zoned BR @ 1.37 Acres/
ML-CS-1 @ .08 Acres/ML-IM @ .02 Acres

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for carwash per Section 236.4 of the Baltimore County Zoning regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee

Legal Owner(s)

John S. Gonzalez, Jr.

George David Leas

(Type or Print Name) Pamela M. Gonzalez

(Type or Print Name)

Signature

Signature

205 Rolling Knoll Drive

Arleen M. Leas

Address

(Type or Print Name)

Bel Air, Maryland 21014

Signature

City

State

Zipcode

2149 Bridgegate Court

Attorney for Petitioner.

Address

Phone No

Michael E. Marino

Westlake, California 91361
Village

(Type or Print Name)

City State Zipcode
Name, Address and phone number of representative to be contacted

Signature

Michael E. Marino, Esquire
Levy & Marino, P.A.

Levy & Marino, P.A.

Name 609 Bosley Avenue

609 Bosley Avenue (410) 821-6633

Towson, Maryland 21204 (410) 821-6633

Address

Phone No

Address

Phone No

Towson, Maryland 21204

City

State

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr.

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

1/3/16

ORDER RECEIVED FOR FILING

Date

By



#259



Petition for Variance

to the Zoning Commissioner of Baltimore County

9523 Pulaski Highway, Baltimore,
Maryland 21220

for the property located at

96-259-XA

which is presently zoned BR @ 1.37 Acres
ML-CS-1 @ .08 Acres/MLJM @ .02 Acres

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Sec 238.2 to allow a 10' side yard setback in lieu of the required 30'
Sec. 303.2 to allow a 52' front yard setback in lieu of the required 82'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The property is odd shaped and borders on steep slopes and is unique. Without the requested variances, the subject property is not capable of being developed and thereby creating practical difficulty or hardship. The granting of this variance will not result in injury to public health, safety, or welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

John S. Gonzalez, Jr. and Pamela M.

(Type or Print Name) Gonzalez

John S. Gonzalez Jr. Pamela M. Gonzalez
Signature

205 Rolling Knoll Drive

Address

Bel Air, Maryland 21014

City

State

Zipcode

Attorney for Petitioner

Michael E. Marino, Esquire

(Type or Print Name)

Legal Owner(s):

George David Leas

(Type or Print Name)

George David Leas
Signature

Arlene M. Leas

(Type or Print Name)

Arlene M. Leas
Signature

2149 Bridgegate Court

Address

Phone No

Westlake Village, California 91361

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Michael E. Marino, Esquire

Name

609 Bosley Avenue

(410) 821-6633

Address

Towson, MD 21204

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 hr

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: *mtl*

DATE

1/3/16

ORDER RECEIVED FOR FILING
Date *1/3/16*
By *[Signature]*



September 18, 1995

PULASKI CAR WASH

96-259-XA

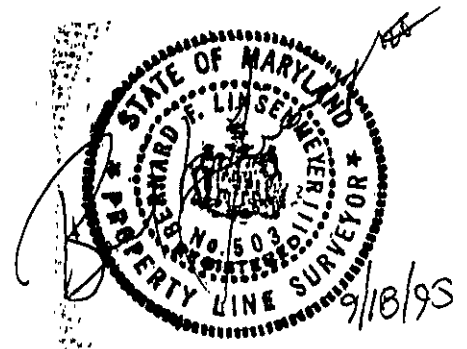
(DESCRIPTION FOR ZONING PURPOSES ONLY)

Beginning at a point located on the southern right-of-way line (150' right-of-way) of Pulaski Highway, approximately 285 feet, more or less, West of the intersection of Pulaski Highway (U.S. Route 40) and the center of Middle River Road, thence running the following courses and distances:

1. South $48^{\circ}22'55''$ East, 145.70 feet, more or less, to a point; thence,
2. North $58^{\circ}52'27''$ East, 215.00 feet, more or less, to a point; thence,
3. North $44^{\circ}21'01''$ East, 55.42 feet, more or less, to a point; thence,
4. 40.00 feet curving to the right, having a radius of 1,170.00 feet, more or less, to a point; thence,
5. South $58^{\circ}52'27''$ West, 344.20 feet, more or less, to a point; thence,
6. North $59^{\circ}32'56''$ West, 7.98 feet, more or less, to a point; thence,
7. South $59^{\circ}22'04''$ West, 400.83 feet, more or less, to a point; thence,
8. North $19^{\circ}54'56''$ West, 28.25 feet, more or less, to a point; thence,
9. 340.55' curving to the left, having a radius of 11,534.16 feet, more or less, thence,
10. North $40^{\circ}56'40''$ East, 100.00 feet, more or less, to the point of beginning.

Containing approximately 1.15 acres of land, more or less.

SAM/gfl/D#3Descrip.PulaskiCW/9.15



259

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15

Date of Posting 1/29/96

Posted for: Special Exception

Petitioner: George David Leas and Arleen M. Leas- John S. Gonzalez, Jr. &

Pamela M. Gonzalez
Location of property: 9523 Pulaski Highway

Location of Signs: Pulaski Highway near "Car Wash" business sign
(sidewalk fence)

Remarks:

Posted by Joe Schuch / Jeff Perlow Date of return:

Number of Signs: 1

Signature



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #88-259-XA
(Item 259)
9523 Pulaski Highway
Pulaski Highway Car Wash
S/S Pulaski Highway, 285' W.
of Middle River Road
15th Election District
6th Councilmanic

Legal Owner(s):
George David Leas and Arleen M. Leas
Contract Purchaser:
John S. Gonzalez, Jr. and
Pamela M. Gonzalez

Special Exception: for a car wash. Variance: to allow a 10-foot side yard setback in lieu of the required 30 feet; and to allow a 52 foot front yard setback in lieu of the required 82 feet.

Hearing: Friday, February 16, 1996 at 9:00 a.m. in Rm. 108, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing: Please Call 887-3391.

1/205 Jan 26

C27853

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 19 96

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 19 96.

THE JEFFERSONIAN,

A. Henrich

LEGAL AD. - TOWSON

~~Publication~~

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013670

96-259-XA

DATE 1-3-96 ACCOUNT 31-615

Item. 259

By. mtl

AMOUNT \$ 620.00

Owner: Lees

RECEIVED FROM: Levy & Marino - 9523 Pulaski Highway

020 - Comm. Lic. \$ 25.00

050 - Sp. Exemption \$ 30.00

000 - 2 Signs \$ 20.00

FOR: \$ 620.00

MICROFILMED

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 259 Petitioner: Gonzalez, John S.

Location: 9523 Pulaski Highway

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael E. Marino

ADDRESS: 609 Bosley Avenue

Towson, MD 21204

PHONE NUMBER: ~~821-6633~~ 821-6633

TO: PUTUXENT PUBLISHING COMPANY
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

Michael E. Marino, Esq.
609 Bosley Avenue
Towson, MD 21204
821-6633

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-259-XA (Item 259)
9523 Pulaski Highway
Pulaski Highway Car Wash
S/S Pulaski Highway, 285' W of c/l Middle River Road
15th Election District - 6th Councilmanic
Legal Owner: George David Leas and Arleen M. Leas
Contract Purchaser: John S. Gonzalez, Jr. and Pamela M. Gonzalez

Special Exception for a carwash.

Variance to allow a 10-foot side yard setback in lieu of the required 30 feet; and to allow a 52 foot front yard setback in lieu of the required 82 feet.

HEARING: FRIDAY, FEBRUARY 16, 1996 at 9:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-259-XA (Item 259)
9523 Pulaski Highway
Pulaski Highway Car Wash
S/S Pulaski Highway, 285' W of c/l Middle River Road
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Special Exception for a carwash.

Variance to allow a 10-foot side yard setback in lieu of the required 30 feet; and to allow a 52 foot front yard setback in lieu of the required 82 feet.

HEARING: FRIDAY, FEBRUARY 16, 1996 at 9:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: George and Arleen Leas
John and Pamela Gonzalez
Michael E. Marino, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 9, 1996

Michael E. Marino
Levy & Marino, P.A.
609 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 259
Case No.: 96-259-XA
Petitioner: G. D. Leas, et ux

Dear Mr. Marino:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

RECEIVED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: January 22, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 9523 Pulaski Highway

INFORMATION:

Item Number: 259

Petitioner: Leas Property

Property Size: _____

Zoning: BR, ML-IM, and ML

Requested Action: Special Exception & Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS:

A review of the plan accompanying the subject request reveals that the property at the elevation which the applicant proposes a 24' high sign is sufficiently high enough, and, as such, the height of the proposed sign can and should be reduced. Staff has communicated this concern to the applicant's attorney.

This office supports the applicant's request provided that the issue regarding the sign is addressed

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Keller

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Items 253, 254, 257, 258, and 259
and Case 96-169 SPH

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,
258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
9523 Pulaski Highway (Pulaski Highway	*	ZONING COMMISSIONER
Car Wash), S/S Pulaski Highway, 285' W		
of c/l Middle River Road, 15th	*	OF BALTIMORE COUNTY
Election District - 6th Councilmanic		
	*	CASE NO. 96-259-XA
Legal Owners: George and Arleen Leas		
Contract Purchasers: J. & P. Gonzalez	*	
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael E. Marino, Esquire, 609 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

AS-OF-RIGHT BUILDING ENVELOPE

D.S. THALER & ASSOC., INC.

2.16.96

1" = 60'

MEMO

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - S/S Pulaski Highway, 285' W of the c/l of * DEPUTY ZONING COMMISSIONER
Middle River Road (9523 Pulaski Highway) * OF BALTIMORE COUNTY
15th Election District * Case No. 96-259-XA
George D. Leas, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 9523 Pulaski Highway, located in the vicinity of Middle River Road in Middle River. The Petitions were filed by the owners of the property, George D. and Arleen M. Leas, and the Contract Purchaser/Lessee, John S. Gonzalez, Jr., and his wife, Pamela M. Gonzalez, through their attorney, Michael Marino, Esquire. The Petitioners request a special exception to permit a car wash use on the subject property, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), and variance relief from Sections 238.2 and 303.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet, and a front yard setback of 52 feet in lieu of the required 82 feet to accommodate the proposed building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petitions were John Gonzalez, Jr., Contract Purchaser, Alan Scoll, Registered Landscape Architect with D. S. Thaler and Associates, Inc., who prepared the site plan for this project, and Michael Marino, Esquire, attorney for the Petitioners. There were no Protestants present.

ORDER RECEIVED FOR FILING
Date 2/26/96
By [Signature]

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.47 acres, more or less, split zoned B.R., M.L.-C.S.1 and M.L.-I.M., and is presently unimproved. The Petitioners are desirous of developing the site with a self-service car wash in accordance with Petitioner's Exhibit 1. Due to the unusual shape of the lot, strict compliance with the zoning regulations would be burdensome and result in an unreasonable hardship for the Petitioners. A brief discussion ensued regarding the height of the identification sign for the proposed use. According to the site plan submitted into evidence as Petitioner's Exhibit 1, the Petitioners propose an identification sign 18 feet in height. On behalf of his clients, Mr. Marino agreed that the subject sign will be no greater than 14 feet in height. Further testimony demonstrated that the use proposed meets the special exception requirements set forth in Section 502.1 of the P.C.Z.R. and is in strict harmony with the spirit and intent of the zoning regulations, pursuant to Section 307.1 thereof.

It is clear that the B.C.Z.R. permits the use proposed in a zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special

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cial exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

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Date 2/26/96
By [Signature]

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special exception and variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 26th day of February, 1996 that the Petition for Special Exception to permit a car wash use on the subject property, pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 238.2 and 303.2 of the B.C.Z.R. to permit a side yard setback of 10 feet in lieu of the required 30 feet, and a front yard setback of 52 feet in lieu of the required 82 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

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Date 2/26/96
By [Signature]

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The height of the proposed identification sign shall be no greater than 14 feet. Accordingly, a revised site plan depicting the modified sign height shall be submitted prior to the issuance of any building permits.

3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Michael Marino
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 2/26/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 26, 1996

Michael E. Marino, Esquire
Levy & Marino
609 Bosley Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
S/S Pulaski Highway, 285' W of the c/l of Middle River Road
(9523 Pulaski Highway)
15th Election District - 6th Councilmanic District
George D. Leas, et ux - Petitioners
Case No. 96-259-XA

Dear Mr. Marino:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Michael Marino

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. George D. Leas
2149 Bridgegate Court, Westlake Village, Ca. 91361
Mr. & Mrs. John S. Gonzalez, Jr.
205 Rolling Knoll Drive, Bel Air, Md. 21014

People's Counsel

[Signature]

#259
Petition for Special Exception
to the Zoning Commissioner of Baltimore County
for the property located at 9523 Pulaski Highway, Balto., MD 21220
96-259-XA which is presently zoned BR @ 1.37 Acres/
ML-CS-1 @ .08 Acres/ML-IM @ .02 Acres
This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for carwash per Section 236.4 of the Baltimore County Zoning regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
John S. Gonzalez, Jr.
Pamela M. Gonzalez
205 Rolling Knoll Drive
Bel Air, Maryland 21014
City State Zipcode
Legal Owner(s):
George David Leas
Arleen M. Leas
Bel Air, Maryland 21014
City State Zipcode
Address:
2149 Bridgegate Court
Westlake, California 91361
City State Zipcode
Name: Michael E. Marino, Esquire
Levy & Marino, P.A.
609 Bosley Avenue
Towson, Maryland 21204 (410) 821-6633
Address: Towson, Maryland 21204
City State Zipcode

ORDER RECEIVED FOR FILING
Date 2/26/96
By [Signature]

Office Use Only:
ESTIMATED LENGTH OF HEARING: 2 hr.
unavailable for hearing
the following date: 2/26/96 Next Two Months
ALL OTHER: 1/2/96
REVIEWED BY: [Signature] DATE: 1/2/96

#259
Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 9523 Pulaski Highway, Baltimore, Maryland 21220
96-259-XA which is presently zoned BR @ 1.37 Acres/
ML-CS-1 @ .08 Acres/ML-IM @ .02 Acres
This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 238.2 to allow a 10' side yard setback in lieu of the required 30'
303.2 to allow a 52' front yard setback in lieu of the required 82'
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The property is odd shaped and borders on steep slopes and is unique. Without the requested variances, the subject property is not capable of being developed and thereby creating practical difficulty or hardship. The granting of this variance will not result in injury to public health, safety, or welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
John S. Gonzalez, Jr. and Pamela M. Gonzalez
205 Rolling Knoll Drive
Bel Air, Maryland 21014
City State Zipcode
Legal Owner(s):
George David Leas
Arleen M. Leas
Bel Air, Maryland 21014
City State Zipcode
Address:
2149 Bridgegate Court
Westlake Village, California 91361
City State Zipcode
Name: Michael E. Marino, Esquire
Levy & Marino, P.A.
609 Bosley Avenue (410) 821-6633
Address: Towson, Maryland 21204
City State Zipcode

ORDER RECEIVED FOR FILING
Date 2/26/96
By [Signature]

Office Use Only:
ESTIMATED LENGTH OF HEARING: 2 hr.
unavailable for hearing
the following date: 2/26/96 Next Two Months
ALL OTHER: 1/2/96
REVIEWED BY: [Signature] DATE: 1/2/96

September 18, 1995

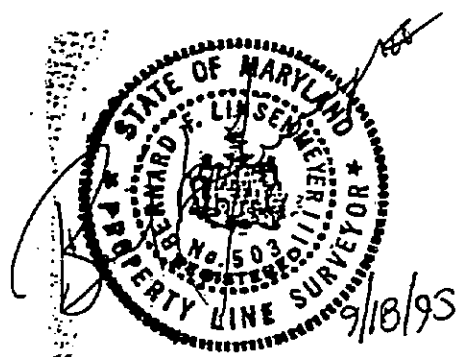
PULASKI CAR WASH 96-259-XA

(DESCRIPTION FOR ZONING PURPOSES ONLY)

Beginning at a point located on the southern right-of-way line (150' right-of-way) of Pulaski Highway, approximately 285 feet, more or less, West of the intersection of Pulaski Highway (U.S. Route 40) and the center of Middle River Road, thence running the following courses and distances:

1. South 48°22'55" East, 145.70 feet, more or less, to a point; thence,
2. North 58°52'27" East, 215.00 feet, more or less, to a point; thence,
3. North 44°21'01" East, 55.42 feet, more or less, to a point; thence,
4. 40.00 feet curving to the right, having a radius of 1,170.00 feet, more or less, to a point; thence,
5. South 58°52'27" West, 344.20 feet, more or less, to a point; thence,
6. North 59°32'56" West, 7.98 feet, more or less, to a point; thence,
7. South 59°22'04" West, 400.83 feet, more or less, to a point; thence,
8. North 19°54'56" West, 28.25 feet, more or less, to a point; thence,
9. 340.55' curving to the left, having a radius of 11,534.16 feet, more or less, thence,
10. North 40°56'40" East, 100.00 feet, more or less, to the point of beginning.

Containing approximately 1.15 acres of land, more or less.



SAH/gtl/0130awarp, Pulaski/9.15

259

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15 Date of Posting: 1/29/96
Posted for: Special Exception
Petitioner: George David Leas and Arleen M. Leas - John S. Gonzalez, Jr. & Pamela M. Gonzalez
Location of property: 9523 Pulaski Highway
Location of Sign: Pulaski Highway near "Car Wash" business sign
Remarks:
Posted by: Jeff Robin Date of return:
Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,

A. Henkelson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Case 96-259-XA
Item 259
9523 Pulaski Highway
Pulaski Highway Car Wash
S/S Pulaski Highway, 285' W of c/l Middle River Road
15th Election District - 6th Councilmanic
Legal Owner: George David Leas and Arleen M. Leas
Contract Purchaser: John S. Gonzalez, Jr. and Pamela M. Gonzalez
Special Exception for a carwash.
Variance to allow a 10-foot side yard setback in lieu of the required 30 feet; and to allow a 52 foot front yard setback in lieu of the required 82 feet.
Hearing: Friday, February 16, 1996 at 9:00 a.m. in Room 106, County Office Building.
LAWRENCE E. SCHMIDT
Zoning Commissioner
NOTES: (1) Hearing is Handicapped Accessible. For special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
106 Jan 25 C/263

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013670
96-259-XA
DATE 1-3-96 ACCOUNT 01-615
AMOUNT \$ 620.00
RECEIVED FROM: Leas & Marino - 9523 Pulaski Highway
1070.00 Comm. Fee - \$ 20.00
800.00 Sp. Exception - \$ 300.00
800.00 Total - \$ 620.00
FOR:
VALIDATION OR SIGNATURE OF CASHIER
DISTRIBUTION: WHT-CURR. PINK-AGENCY YELLOW-CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 259 Petitioner: Gonzalez, John S.

Location: 9523 Pulaski Highway

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael E. Marino

ADDRESS: 609 Bosley Avenue

Towson MD 21204

PHONE NUMBER: 821-6633

TO: FUTURE PUBLISHING COMPANY
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

Michael E. Marino, Esq.
609 Bosley Avenue
Towson, MD 21204
821-6633

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-259-XA (Item 259)
9523 Pulaski Highway
Pulaski Highway Car Wash
S/S Pulaski Highway, 285' W of c/l Middle River Road
15th Election District - 6th Councilmanic
Legal Owner: George David Leas and Arleen M. Leas
Contract Purchaser: John S. Gonzalez, Jr. and Pamela M. Gonzalez

Special Exception for a carwash.
Variance to allow a 10-foot side yard setback in lieu of the required 30 feet; and to allow a 52 foot front yard setback in lieu of the required 82 feet.

HEARING: FRIDAY, FEBRUARY 16, 1996 at 9:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-259-XA (Item 259)
9523 Pulaski Highway
Pulaski Highway Car Wash
S/S Pulaski Highway, 285' W of c/l Middle River Road
15th Election District - 6th Councilmanic
Legal Owner: George David Leas and Arleen M. Leas
Contract Purchaser: John S. Gonzalez, Jr. and Pamela M. Gonzalez

Special Exception for a carwash.
Variance to allow a 10-foot side yard setback in lieu of the required 30 feet; and to allow a 52 foot front yard setback in lieu of the required 82 feet.

HEARING: FRIDAY, FEBRUARY 16, 1996 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: George and Arleen Leas
John and Pamela Gonzalez
Michael E. Marino, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 9, 1996

Michael E. Marino
Levy & Marino, P.A.
609 Bosley Avenue
Towson, Maryland 21204

RE: Item No.: 259
Case No.: 96-259-XA
Petitioner: G. D. Leas, et ux

Dear Mr. Marino:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 3, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM DATE: January 22, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 9523 Pulaski Highway

INFORMATION:

Item Number: 259

Petitioner: Leas Property

Property Size:

Zoning: BR, ML-1M, and ML

Requested Action: Special Exception & Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

A review of the plan accompanying the subject request reveals that the property at the elevation which the applicant proposes a 24' high sign is sufficiently high enough, and, as such, the height of the proposed sign can and should be reduced. Staff has communicated this concern to the applicant's attorney.

This office supports the applicant's request provided that the issue regarding the sign is addressed

Prepared by: Jeffrey M. Long

Division Chief: Cam L. Leas

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 22, 1996
Items 253, 254, 257, 258, and 259
and Case 96-169 SFH

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:SW

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/17/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:
Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below are applicable and required to
be corrected or incorporated into the final plans for the property.
B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,
258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

PETITION PROBLEMS

#254 --- JRA

1. No address, zip code, or telephone number on petition form for legal owner.

#255 --- MJK

1. Bottom of petition form states conditional approval was given - Where is it?

#259 --- MJK

1. No telephone number on petition forms for legal owner.
2. No signature for attorney on variance petition.

#262 --- JJS

1. No authorization for person signing for legal owner.
2. No hardship or practical difficulty listed on petition form.

#264 --- JJS

1. Where is undersized lot information?

#265 --- CAM

1. No signature for legal owner on variance petition.
2. No telephone number for legal owner on petition forms.
3. No signature for attorney on variance petition.
4. No review information completed on bottom of variance petition.

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
2523 Pulaski Highway (Pulaski Highway
Car Wash), S/S Pulaski Highway, 285' W
of c/l Middle River Road, 15th
Election District - 6th Councilmanic

Legal Owners: George and Arleen Leas
Contract Purchasers: J. & P. Gonzalez
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-259-XA

ENTRY OF APPEARANCE
Please enter the appearance of the People's Counsel in the above-
captioned matter. Notice should be sent of any hearing dates or other
proceedings in this matter and of the passage of any preliminary or
final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE
I HEREBY CERTIFY that on this 13th day of February, 1996, a copy
of the foregoing Entry of Appearance was mailed to Michael E. Marino,
Esquire, 609 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN

200 Scale
1992 Baltimore County Zoning Map (NE-5 & 6 H)
To Accompany Zoning Petition

Pulaski Carwash

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647

96-259-XA

#259

NORTH

Pet Ex #2

PULASKI CARWASH
AS OF RIGHT BUILDING ENVELOPE
D.S. THALER & ASSOC., INC.
2.16.96
1" = 60'

[illegible]

Election Districts: 23
Census Tracts: 445
Congressional District: 4

7. SITE INFORMATION:

A. Gross acreage = 1.41 ac. (44) x 30 = 0 17 Pulaski Highway

B. Existing Loadings: BR 1 1.17 AC:
ML-LS-10 1.10 AC:
ML-LN 1 0.01 AC:

Allowable	OP	F	PAJ	SE	119.354	SP1
HL-CB-1	F	2.0	PAJ	SE	6.949	SP1
HL-IN	F	2.1	PAJ	SE	1.743	SP1

5. Park, H.

F Landscape planting as specified in the Ballwin
County Landscape Manual, adopted October 1, 1990

```

      1  major deciduous trees of
      2  minor deciduous trees of
      3  evergreen trees of

```

	<u>PENDING</u>	<u>PROPOSED:</u>
AGREEMENT	P. J. L. F.	682 - 12 P. M.

[illegible]

14. 2000年12月1日，甲企业向乙企业销售一批商品，售价为10000元，增值税为1700元，款项尚未收到。2001年1月10日，乙企业向甲企业支付该笔款项。甲企业应编制如下会计分录：

[illegible]

Figure 1. The effect of the concentration of the *Agaricus bisporus* spores on the growth of *Agaricus bisporus* and *Agaricus bisporus* spores. The concentration of the spores was 10⁶ spores/ml (a), 10⁷ spores/ml (b), 10⁸ spores/ml (c), 10⁹ spores/ml (d), 10¹⁰ spores/ml (e), 10¹¹ spores/ml (f), 10¹² spores/ml (g), 10¹³ spores/ml (h), 10¹⁴ spores/ml (i), 10¹⁵ spores/ml (j), 10¹⁶ spores/ml (k), 10¹⁷ spores/ml (l), 10¹⁸ spores/ml (m), 10¹⁹ spores/ml (n), 10²⁰ spores/ml (o), 10²¹ spores/ml (p), 10²² spores/ml (q), 10²³ spores/ml (r), 10²⁴ spores/ml (s), 10²⁵ spores/ml (t), 10²⁶ spores/ml (u), 10²⁷ spores/ml (v), 10²⁸ spores/ml (w), 10²⁹ spores/ml (x), 10³⁰ spores/ml (y), 10³¹ spores/ml (z), 10³² spores/ml (aa), 10³³ spores/ml (ab), 10³⁴ spores/ml (ac), 10³⁵ spores/ml (ad), 10³⁶ spores/ml (ae), 10³⁷ spores/ml (af), 10³⁸ spores/ml (ag), 10³⁹ spores/ml (ah), 10⁴⁰ spores/ml (ai), 10⁴¹ spores/ml (aj), 10⁴² spores/ml (ak), 10⁴³ spores/ml (al), 10⁴⁴ spores/ml (am), 10⁴⁵ spores/ml (an), 10⁴⁶ spores/ml (ao), 10⁴⁷ spores/ml (ap), 10⁴⁸ spores/ml (aq), 10⁴⁹ spores/ml (ar), 10⁵⁰ spores/ml (as), 10⁵¹ spores/ml (at), 10⁵² spores/ml (au), 10⁵³ spores/ml (av), 10⁵⁴ spores/ml (aw), 10⁵⁵ spores/ml (ax), 10⁵⁶ spores/ml (ay), 10⁵⁷ spores/ml (az), 10⁵⁸ spores/ml (ba), 10⁵⁹ spores/ml (bb), 10⁶⁰ spores/ml (bc), 10⁶¹ spores/ml (bd), 10⁶² spores/ml (be), 10⁶³ spores/ml (bf), 10⁶⁴ spores/ml (bg), 10⁶⁵ spores/ml (bh), 10⁶⁶ spores/ml (bi), 10⁶⁷ spores/ml (bj), 10⁶⁸ spores/ml (bk), 10⁶⁹ spores/ml (bl), 10⁷⁰ spores/ml (bm), 10⁷¹ spores/ml (bn), 10⁷² spores/ml (bo), 10⁷³ spores/ml (bp), 10⁷⁴ spores/ml (bq), 10⁷⁵ spores/ml (br), 10⁷⁶ spores/ml (bs), 10⁷⁷ spores/ml (bt), 10⁷⁸ spores/ml (bu), 10⁷⁹ spores/ml (bv), 10⁸⁰ spores/ml (bw), 10⁸¹ spores/ml (bx), 10⁸² spores/ml (by), 10⁸³ spores/ml (bz), 10⁸⁴ spores/ml (ca), 10⁸⁵ spores/ml (cb), 10⁸⁶ spores/ml (cc), 10⁸⁷ spores/ml (cd), 10⁸⁸ spores/ml (ce), 10⁸⁹ spores/ml (cf), 10⁹⁰ spores/ml (cg), 10⁹¹ spores/ml (ch), 10⁹² spores/ml (ci), 10⁹³ spores/ml (cj), 10⁹⁴ spores/ml (ck), 10⁹⁵ spores/ml (cl), 10⁹⁶ spores/ml (cm), 10⁹⁷ spores/ml (cn), 10⁹⁸ spores/ml (co), 10⁹⁹ spores/ml (cp), 10¹⁰⁰ spores/ml (cq), 10¹⁰¹ spores/ml (cr), 10¹⁰² spores/ml (cs), 10¹⁰³ spores/ml (ct), 10¹⁰⁴ spores/ml (cu), 10¹⁰⁵ spores/ml (cv), 10¹⁰⁶ spores/ml (cw), 10¹⁰⁷ spores/ml (cx), 10¹⁰⁸ spores/ml (cy), 10¹⁰⁹ spores/ml (cz), 10¹¹⁰ spores/ml (da), 10¹¹¹ spores/ml (db), 10¹¹² spores/ml (dc), 10¹¹³ spores/ml (dd), 10¹¹⁴ spores/ml (de), 10¹¹⁵ spores/ml (df), 10¹¹⁶ spores/ml (dg), 10¹¹⁷ spores/ml (dh), 10¹¹⁸ spores/ml (di), 10¹¹⁹ spores/ml (dj), 10¹²⁰ spores/ml (dk), 10¹²¹ spores/ml (dl), 10¹²² spores/ml (dm), 10¹²³ spores/ml (dn), 10¹²⁴ spores/ml (do), 10¹²⁵ spores/ml (dp), 10¹²⁶ spores/ml (dq), 10¹²⁷ spores/ml (dr), 10¹²⁸ spores/ml (ds), 10¹²⁹ spores/ml (dt), 10¹³⁰ spores/ml (du), 10¹³¹ spores/ml (dv), 10¹³² spores/ml (dw), 10¹³³ spores/ml (dx), 10¹³⁴ spores/ml (dy), 10¹³⁵ spores/ml (dz), 10¹³⁶ spores/ml (ea), 10¹³⁷ spores/ml (eb), 10¹³⁸ spores/ml (ec), 10¹³⁹ spores/ml (ed), 10¹⁴⁰ spores/ml (ee), 10¹⁴¹ spores/ml (ef), 10¹⁴² spores/ml (eg), 10¹⁴³ spores/ml (eh), 10¹⁴⁴ spores/ml (ei), 10¹⁴⁵ spores/ml (ej), 10¹⁴⁶ spores/ml (ek), 10¹⁴⁷ spores/ml (el), 10¹⁴⁸ spores/ml (em), 10¹⁴⁹ spores/ml (en), 10¹⁵⁰ spores/ml (eo), 10¹⁵¹ spores/ml (ep), 10¹⁵² spores/ml (eq), 10¹⁵³ spores/ml (er), 10¹⁵⁴ spores/ml (es), 10¹⁵⁵ spores/ml (et), 10¹⁵⁶ spores/ml (eu), 10¹⁵⁷ spores/ml (ev), 10¹⁵⁸ spores/ml (ew), 10¹⁵⁹ spores/ml (ex), 10¹⁶⁰ spores/ml (ey), 10¹⁶¹ spores/ml (ez), 10¹⁶² spores/ml (fa), 10¹⁶³ spores/ml (fb), 10¹⁶⁴ spores/ml (fc), 10¹⁶⁵ spores/ml (fd), 10¹⁶⁶ spores/ml (fe), 10¹⁶⁷ spores/ml (ff), 10¹⁶⁸ spores/ml (fg), 10¹⁶⁹ spores/ml (fh), 10¹⁷⁰ spores/ml (fi), 10¹⁷¹ spores/ml (fj), 10¹⁷² spores/ml (fk), 10¹⁷³ spores/ml (fl), 10¹⁷⁴ spores/ml (fm), 10¹⁷⁵ spores/ml (fn), 10¹⁷⁶ spores/ml (fo), 10¹⁷⁷ spores/ml (fp), 10¹⁷⁸ spores/ml (fq), 10¹⁷⁹ spores/ml (fr), 10¹⁸⁰ spores/ml (fs), 10¹⁸¹ spores/ml (ft), 10¹⁸² spores/ml (fu), 10¹⁸³ spores/ml (fv), 10¹⁸⁴ spores/ml (fw), 10¹⁸⁵ spores/ml (fx), 10¹⁸⁶ spores/ml (fy), 10¹⁸⁷ spores/ml (fz), 10¹⁸⁸ spores/ml (ga), 10¹⁸⁹ spores/ml (gb), 10¹⁹⁰ spores/ml (gc), 10¹⁹¹ spores/ml (gd), 10¹⁹² spores/ml (ge), 10¹⁹³ spores/ml (gf), 10¹⁹⁴ spores/ml (gg), 10¹⁹⁵ spores/ml (gh), 10¹⁹⁶ spores/ml (gi), 10¹⁹⁷ spores/ml (gj), 10¹⁹⁸ spores/ml (gk), 10¹⁹⁹ spores/ml (gl), 10²⁰⁰ spores/ml (gm), 10²⁰¹ spores/ml (gn), 10²⁰² spores/ml (go), 10²⁰³ spores/ml (gp), 10²⁰⁴ spores/ml (gq), 10²⁰⁵ spores/ml (gr), 10²⁰⁶ spores/ml (gs), 10²⁰⁷ spores/ml (gt), 10²⁰⁸ spores/ml (gu), 10²⁰⁹ spores/ml (gv), 10²¹⁰ spores/ml (gw), 10²¹¹ spores/ml (gx), 10²¹² spores/ml (gy), 10²¹³ spores/ml (gz), 10²¹⁴ spores/ml (ha), 10²¹⁵ spores/ml (hb), 10²¹⁶ spores/ml (hc), 10²¹⁷ spores/ml (hd), 10²¹⁸ spores/ml (he), 10²¹⁹ spores/ml (hf), 10²²⁰ spores/ml (hg), 10²²¹ spores/ml (hh), 10²²² spores/ml (hi), 10²²³ spores/ml (hj), 10²²⁴ spores/ml (hk), 10²²⁵ spores/ml (hl), 10²²⁶ spores/ml (hm), 10²²⁷ spores/ml (hn), 10²²⁸ spores/ml (ho), 10²²⁹ spores/ml (hp), 10²³⁰ spores/ml (hq), 10²³¹ spores/ml (hr), 10²³² spores/ml (hs), 10²³³ spores/ml (ht), 10²³⁴ spores/ml (hu),

\mathbb{R}^n is a vector space over \mathbb{R} with the usual addition and scalar multiplication. The norm $\|\cdot\|$ is defined by $\|x\| = \sqrt{x_1^2 + \dots + x_n^2}$. The inner product $\langle \cdot, \cdot \rangle$ is defined by $\langle x, y \rangle = x_1 y_1 + \dots + x_n y_n$. The orthogonal group $O(n)$ is the group of all linear transformations of \mathbb{R}^n that preserve the inner product. The special orthogonal group $SO(n)$ is the subgroup of $O(n)$ consisting of all transformations with determinant 1. The Lie algebra $\mathfrak{so}(n)$ of $SO(n)$ is the space of all skew-symmetric $n \times n$ matrices. The adjoint representation $\text{Ad}: SO(n) \rightarrow \text{GL}(\mathfrak{so}(n))$ is defined by $\text{Ad}_g(X) = gXg^{-1}$. The Killing form $B(X, Y) = 2n \text{tr}(XY)$ is a symmetric bilinear form on $\mathfrak{so}(n)$. The Cartan subalgebra \mathfrak{h} is the space of all diagonal matrices in $\mathfrak{so}(n)$. The root system Φ is the set of all non-zero weights of the adjoint representation. The simple roots $\alpha_1, \dots, \alpha_{n-1}$ are the roots that cannot be written as a sum of other roots. The Cartan matrix $A = (a_{ij})$ is defined by $a_{ij} = 2\frac{(\alpha_j, \alpha_i)}{(\alpha_i, \alpha_i)}$. The Dynkin diagram is a graph with $n-1$ nodes and edges, where the nodes are the simple roots and the edges are labeled with the values of a_{ij} . The Weyl group W is the group of all reflections in the hyperplanes perpendicular to the roots. The fundamental weights $\omega_1, \dots, \omega_{n-1}$ are the weights that are dual to the simple roots. The dominant weights are the weights that are non-negative linear combinations of the fundamental weights. The irreducible representations of $SO(n)$ are classified by their highest weights. The Casimir operator C is a central element of the universal enveloping algebra of $\mathfrak{so}(n)$. The Casimir invariant χ_C is the trace of C on a representation. The Casimir invariant is a constant for each irreducible representation. The Casimir invariant is used to classify representations. The Casimir invariant is also used to compute the character of a representation. The Casimir invariant is a useful tool in the study of representations of Lie algebras.

100-443887-1000

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20. Package design shall conform with Section 413 of IBC and all zoning policies.

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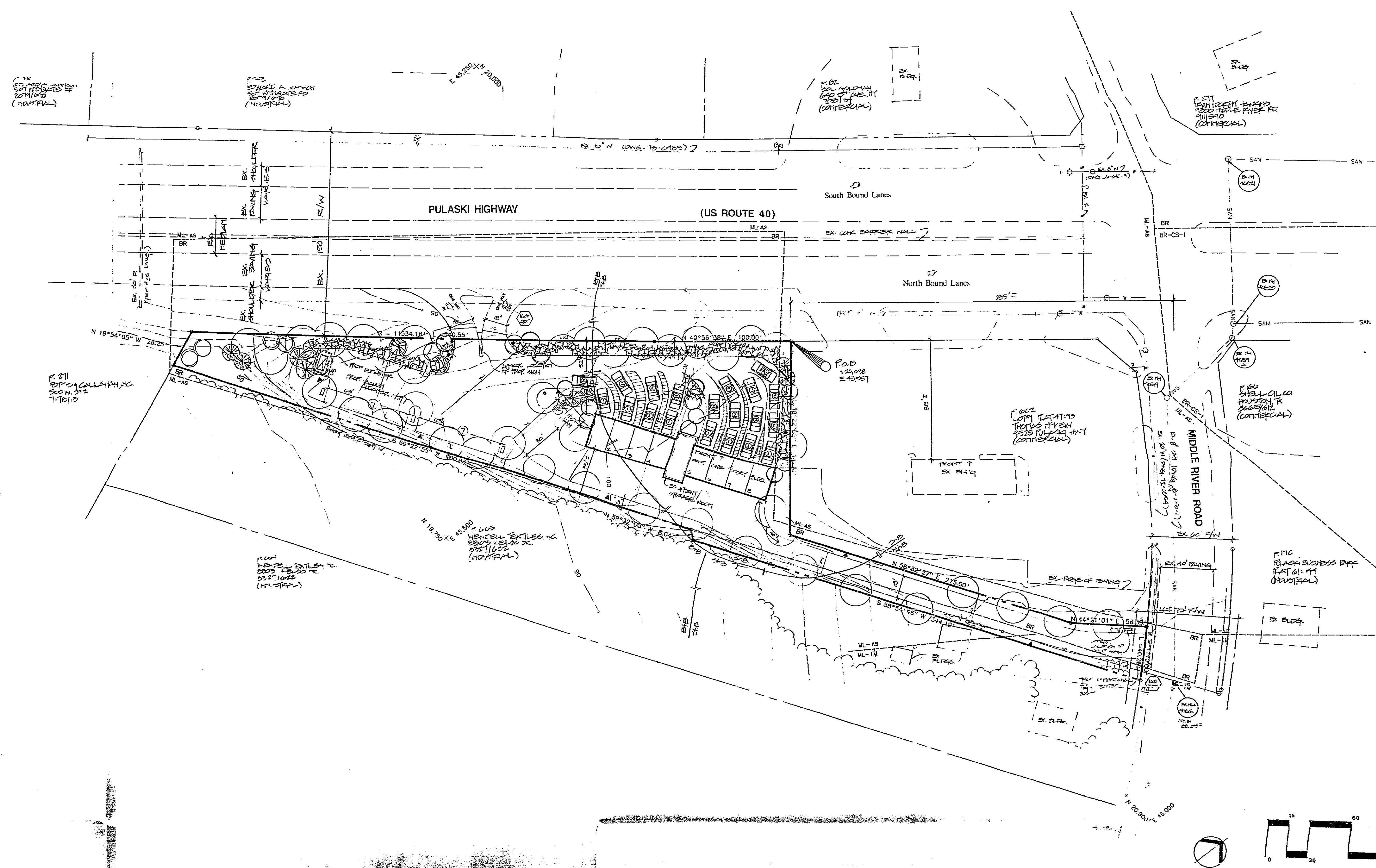
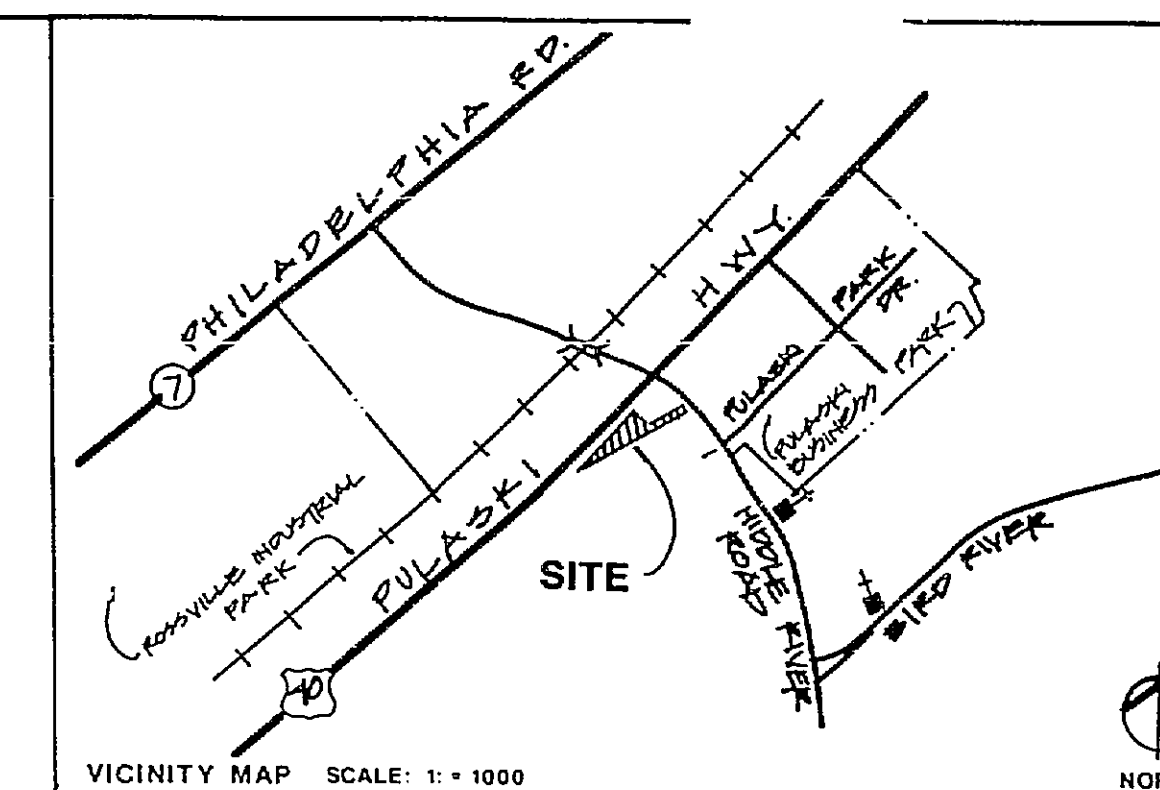
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Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

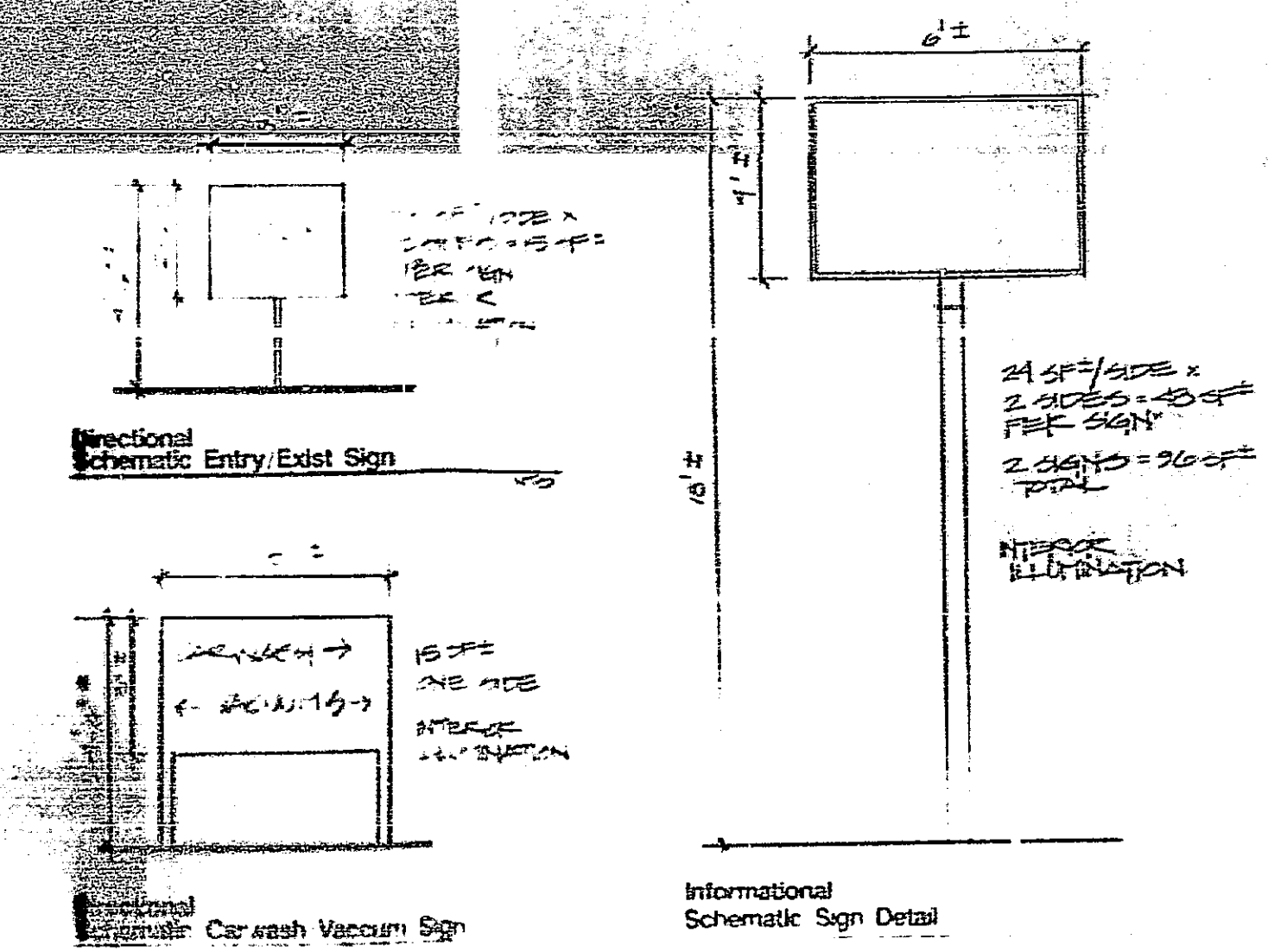
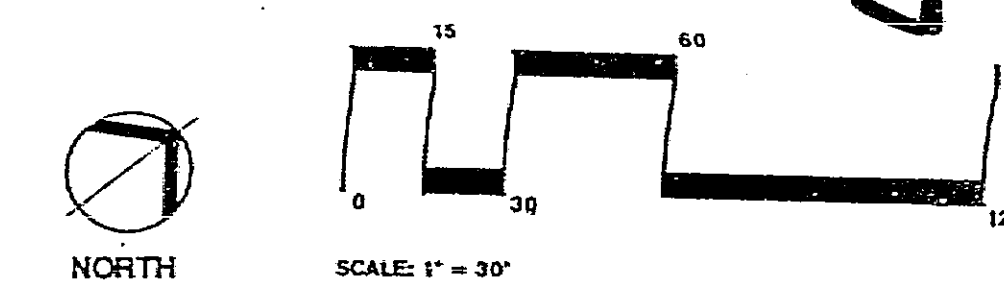
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Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group (CG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG). The CG was divided into two subgroups: the control group (CG) and the control group (CG). The EG was divided into two subgroups: the experimental group (EG) and the experimental group (EG).

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